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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,741	05/01/2001	Jai Rawat	CA1095	4472
23493	7590	03/28/2005	EXAMINER	
SUGHRUE MION, PLLC 401 Castro Street, Ste 220 Mountain View, CA 94041-2007			SHINGLES, KRISTIE D	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,741

Applicant(s)

RAWAT ET AL.

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 19-22 and 30-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 23-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 18-22 and 29-33 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/15/03.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

*Claims 1-18 and 23-29 are pending.
Claims 19-22 and 30-33 are non-elected.*

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 7/15/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the Office. An initialed and dated copy of Applicant's IDS form 1449, is attached to the instant Office action.

Restriction Election

2. The Office acknowledges the receipt of Applicant's restriction election, received in the Election Response from Atty. Florin Corie on 11/19/2004. Applicant elects without traverse claim 18 from Group I (claims 18-22) and claim 29 from Group 2 (claims 29-33). Hence, claims 1-18 and 23-29 are pending and will be examined in the instant application. Claims 19-22 and 30-33 are nonelected and therefore will not be examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by *Ogawa et al* (USPN 5,608,874).

a. **Per claim 1**, *Ogawa et al* teach a system for capturing electronic receipts; said system comprising:

- a first computer server receiving electronic correspondence and parsing said electronic correspondence to identify commercial data related to a commercial transaction (col.6 lines 57-62, col.8 lines 51-63, col.14 lines 29-39 and col.27 lines 25-55; parsing webpage to identify and output specific data which can include commercial data); and
- program code residing on said first computer server for creating receipt data by extracting said commercial data from said electronic correspondence (Abstract, col.2 line 61-col.3 line 7, col.13 line 63-col.14 line 11, col.19 lines 1-13 and col.26 lines 42-57; transmission and transaction receipts are formed from the extracted data—which can include commercial data—in the electronic correspondence).

b. **Claim 6** contains limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

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c. **Per claim 2**, *Ogawa et al* teach the system of claim 1 wherein said first computer server permits display of said receipt data (col.6 lines 49-52, col.6 lines 65-67, col.20 lines 42-57 and col.23 lines 13-35; displays receipt data to user).

d. **Per claim 10**, *Ogawa et al* teach the method of claim 6 further comprising:

- providing a database for storing receipt data (Abstract and col.19 lines 1-6; system provides database for storing receipt data); and
- storing identified commercial data as receipt data in said database (col.19 lines 7-33; stores extracted data as receipt data in database).

5. Claims **12, 13, 15, 17, 18, 23** and **29** are rejected under 35 U.S.C. 102(e) as being anticipated by *Khandekar* (USPN 6,732,102).

a. **Per claim 12**, *Khandekar* teaches a system for capturing data from electronic correspondence; said system comprising:

- a first computer server receiving electronic correspondence (col.4 lines 36-54 and col.5 lines 48-63; server receives electronic correspondence from clients);
- a database having data records accessible to said first computer server (col.1 lines 20-28, col.5 lines 48-63 and col.18 lines 49-57; Internet can be described as a database with web accessibility to the server, also system maintains storage of data and a schema file);
- program code residing on said first computer server for parsing said electronic correspondence to identify data content (col.18 lines 28-48 and col.22 lines 3-33; system allows for filtering of correspondence to identify the particular content); and
- additional program code for extracting said data content in accordance with instructions contained in said data records (col.5 lines 3-63, col.11 lines 22-38, col.17 lines 19-35 and col.18 lines 28-65; system extracts content according to user's selections and instruction which can also be saved in schema files).

b. **Claim 23** contains limitations substantially equivalent to claim 12 and is therefore rejected under the same basis.

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c. **Per claim 13**, *Khandekar* teaches the system of claim 12 wherein said first computer server permits display of said data content (col.3 lines 12-42; system allows for display of extracted data content).

d. **Per claim 15**, *Khandekar* teaches the system of claim 12 wherein said program code includes instructions for storing said data content in said database (col.5 lines 34-63, col.8 lines 9-16, col.9 lines 28-36, col.17 lines 19-43 and col.18 lines 28-65).

e. **Per claim 17**, *Khandekar* teaches the system of claim 12 wherein said first computer server permits alteration of said instructions contained in said data records (col.9 lines 21-36; system allows for user to modify and alter instructions).

f. **Per claim 18**, *Khandekar* teaches the system of claim 12 wherein said electronic correspondence contains data content related to an e-receipt (col.3 line 11-col.4 line 54 and col.8 lines 30-54; provision of data related to e-receipts in web pages from any web site).

g. **Claim 29** is substantially equivalent to claim 18 and is therefore rejected under the same basis.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claim 9 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Ogawa et al* in view of *Khandekar* (USPN 6,732,102).

a. **Per claim 9**, *Ogawa et al* teach the method of claim 6 as applied above, yet fail to teach the method of claim 6 wherein said examining includes: querying a database of template data; and comparing said electronic correspondence with said template data obtained from said querying. However, *Khandekar* teaches a system capable of performing automatic web navigation and browsing then comparing the retrieved data with the user's identified selection template (col.3 lines 43-67, col.4 lines 15-35, col.4 lines 55-67, col.5 lines 3-63 and col.21 line 63-col.22 line 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ogawa et al* and *Khandekar* to allow querying for data and comparing queried results with a specified data template for the purpose of assuring the queried content satisfies and meets the requirements according to the instructions of the template.

b. **Claim 26** contains limitations that are substantially equivalent to claim 9 and is therefore rejected under the same basis.

8. Claims 3, 7, 8, 24, 25 and 28 are rejected under 35 U.S.C. 103 (a) as being unpatentable over *Ogawa et al* in view of *Julien* (USPN 6,694,307).

a. **Per claim 3**, *Ogawa et al* teach the system of claim 1 as applied above, yet fail to teach the system of claim 1 further comprising: a database at said first computer server; and wherein said first computer server permits alteration of header data of said electronic

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correspondence in accordance with data records stored in said database. However, *Julien* teaches a system allowing a server to access a database and furthermore permits alteration and updates of electronic correspondence header data, which primarily includes address data—i.e. email addresses, fax numbers, postal addresses, etc (col.3 lines 1-62, col.7 lines 20-29, col.9 line 65-col.11 line 17 and col.11 line 21-col.12 line 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Ogawa et al* and *Julien* to allow for alteration of header data in electronic correspondence for the purpose of keeping information up-to-date and keeping the database current.

b. **Claims 7, 8, 24, 25 and 28** contain limitations substantially similar to claim 3 and are therefore rejected under the same basis.

9. Claims 4, 5 and 16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over *Julien* in view of *Larsen et al* (USPN 6,088,700).

a. **Per claim 4**, *Julien* teaches the system of claim 3 as applied above, yet fails to distinctly teach the system of claim 3 wherein said program code includes instructions for storing said receipt data in said database. However, *Larsen et al* teach a system with program instructions for accessing and storing abstracted data, which would include receipted data, in a database (Abstract, Fig. 1 and 2 and col.2 lines 21-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Julien* and *Larsen et al* to provide instructions for storing receipt data for the purpose of archiving receipt data for future retrieval or analysis.

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b. **Per claim 5**, *Larsen et al* teach the system of claim 4 wherein said first computer server permits extraction of said receipt data from said database (col.3 line 47-col.4 line 10; system allows for abstraction and retrieval of data from its database and data store).

c. **Claim 16** is substantially equivalent to claim 5 and is therefore rejected under the same basis.

10. Claim 11 is rejected under 35 U.S.C. 103 (a) as being unpatentable over *Khandekar* in view of *Larsen et al* (USPN 6,088,700).

Per claim 11, *Khandekar* teaches the method of claim 9 as applied above, yet fails to teach the method of claim 9 further comprising: if said comparing does not identify said electronic correspondence as containing said commercial data, parsing said electronic correspondence to create parsed data; and examining said parsed data to extract said commercial data, if said parsing results in an identification of said commercial data in said electronic correspondence. However, *Larsen et al* teach a method for comparing common fields of data, parsing data and matching the parsed data with the common fields and storing the parsed data that was not matched (col.3 lines 20-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Khandekar* and *Larsen et al* to create parsed data from the correspondence and examining the parsed data to extract data for the purpose of thoroughly examining the correspondence and parsing data to match data according to the template fields.

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11. Claims **14 and 27** are rejected under 35 U.S.C. 103 (a) as being unpatentable over *Khandekar* in view of *Kramer et al* (USPN 6,324,525).

a. **Per claim 14**, *Khandekar* teaches the system of claim 12 as applied above, yet fails to teach the system of claim 12 wherein said first computer server permits alteration of header data of said electronic correspondence and wherein said first computer server forwards said electronic correspondence to a second computer server in accordance with instructions contained in said data records. However, *Kramer et al* teach updating modification of the header data—e.g. telephone number, IP address—wherein a secondary or tertiary address is forwarded the electronic correspondence if the host address is busy or unavailable (col.32 lines 54-67 and col.41 line 40-col.42 line 15 and col.134 line 52-col.135 line 22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Khandekar* and *Kramer et al* to provide alterations of header data and forwarding the electronic correspondence to another server for the purpose of load balancing or redirecting in case of primary server malfunction or for distribution of services among networked servers.

b. **Per claim 27**, *Khandekar* teaches the method of claim 23 as applied above, yet fails to distinctly teach the method of claim 23 further comprising: providing an additional database for storing said data content; and storing said data content in said additional database in accordance with instructions contained in said data records. However, *Kramer et al* teach the use of additional databases within the database management system that store data according to types of information adhered to in the data records (col.66 lines 19-51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Khandekar* and *Kramer et al* to allow for an additional database for the purpose of distributive storage wherein data content can be allocated to different databases in the network.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. *Nwabueze et al* (USPN 6,775,675) disclose a method for abstracting data from various data structures and managing the presentation of the data.
- b. *Smith et al* (USPN 6,501,950) disclose a system and method for capturing data from a network and pairing each invoke message with its corresponding response message.
- c. *Light et al* (USPN 6,192,380) disclose a method and apparatus for automatic web form fill-in.
- d. *Mutschler, III et al* (USPN 5,974,430) disclose a method for dynamically embedding objects stored in a web server within html for display by a web browser.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

lds


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